

EXHIBIT A

Declaration of Jeff Moss in Support of Defendants' Motion to Transfer

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HOLLAND & HART LLP
LAS VEGAS, NV 89134
9555 HILLWOOD DRIVE, 2ND FLOOR

1 Robert J. Cassity
2 Nevada Bar No. 9779
3 Erica C. Medley
4 Nevada Bar No. 13959
5 **HOLLAND & HART LLP**
6 9555 Hillwood Drive, 2nd Floor
7 Las Vegas, NV 89134
8 Phone: 702.669.4600
9 Fax: 702.669.4650
10 bcassity@hollandhart.com
11 ecmedley@hollandhart.com

12 Matthew J. Mertens
13 (admitted *Pro Hac Vice*)
14 **PERKINS COIE LLP**
15 1120 N.W. Couch Street 10th Floor
16 Portland, OR 97209-4128
17 Phone: 503.727.2199
18 Fax 503.346.2199
19 mmertens@perkinscoie.com

20 David A. Perez
21 (admitted *Pro Hac Vice*)
22 **PERKINS COIE LLP**
23 1201 Third Avenue, Suite 4900
24 Seattle, WA 98101-3099
25 Phone: 206.359.6767
26 Fax: 206.359.7767
27 dperez@perkinscoie.com

28 *Attorneys for Defendants*
Jeff Moss and DEF CON Communications, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHRISTOPHER J. HADNAGY, an
individual; and SOCIAL-ENGINEER,
LLC, a Pennsylvania limited liability
company,

Plaintiffs,

v.

JEFF MOSS, an individual; DEF CON
COMMUNICATIONS, INC., a
Washington corporation; and DOES 1-
10; and ROE ENTITIES 1-10, inclusive,

Defendants.

Case No.: 2:23-cv-01345-CDS-BNW

**DECLARATION OF JEFF MOSS
IN SUPPORT OF DEFENDANTS'
MOTION TO TRANSFER**

1 1. My name is Jeff Moss. I am the founder and president of Defendant Def
2 Con Communications, Inc. (“Def Con”) (collectively, “Defendants”). I am over 18
3 years old and attest that the following declaration is true to the best of my
4 knowledge.

Moss's Contacts with Nevada

6|| 2. I am a resident of Washington.

7 3. Apart from short trips to Nevada for personal and/or business reasons,
8 I have never owned property in or lived in Nevada.

Def Con's Contacts with Nevada

10 4. Def Con is an organization that provides security-related training,
11 through its website and by hosting conferences for the information security
12 community around the world. Def Con puts on an annual conference in Las Vegas,
13 spanning a total of four days out of the year and attracting attendees from around
14 the globe (the “Event”). Def Con has also hosted conferences in Beijing, China, and
15 New York.

16 1. Def Con is incorporated in and has its principal place of business in
17 Washington.

18 2. Def Con does not have any offices or employees in Nevada.

19 3. Def Con has a total of nine employees. The majority of Def Con's
20 employees are located in Washington, with seven out of its nine employees residing
21 in Washington. The other two employees do not live in Nevada.

22 4. Def Con's physical documents are located in Washington, at its
23 principal place of business.

Def Con's Website Operations

25 5. Def Con operates a website, available at www.defcon.org (the
26 “Website”), that provides information and resources about information security and
27 the annual Event. The Website is accessible globally.

1 6. Def Con does not target Nevada residents to attend the Event through
2 its Website. Def Con has a very small advertising and marketing budget of just a few
3 hundred dollars a year, which it mostly uses to purchase Facebook advertisements.
4 These advertisements are not targeted at Nevada residents.

5 7. Def Con does not maintain mailing lists of past or prospective Event
6 attendees. Website visitors can access mailing lists available through the Website
7 addressing particular areas of interest to the infosec community. Third parties
8 operate and manage these mailing lists; none of them involve solicitation of
9 attendance at the Event; and none of them are targeted at Nevada residents.

10 8. Def Con does not send emails—to Nevada residents or otherwise—to
11 encourage past or prospective Event attendees to purchase tickets to future
12 conferences. The Website does not have pop-up advertisements encouraging anyone
13 viewing the advertisements to purchase tickets to future conferences.

14 9. Def Con does not use website traffic information, such as IP addresses
15 of website visitors, to target visitors for potential conference attendance or to
16 otherwise solicit attendance at the Event. Nevada residents are no exception.

Defendants' Additional Litigation Costs

18 10. In order to defend in the District of Nevada, I have had to obtain local
19 counsel for myself and Def Con, incurring additional litigation costs. I anticipate
20 further additional litigation costs for myself, Def Con, and witnesses as a result of
21 the need to travel from Washington to Nevada to litigate this action in the District
22 of Nevada.

23 I declare under the penalty of perjury under the laws of the United States and
24 the State of Nevada that the foregoing is true and correct.

25 Executed on this 16th day of October 2023.

/s/ Jeff Moss
Jeff Moss

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